

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Wang et al.

Serial No.: 09/993,376

Filed: November 14, 2001

For: Methods and Apparatus for Sorting of  
Bioparticles Based Upon Optical Spectral  
Signature



Group Art Unit: 1743

Examiner: Not Yet Assigned

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INFORMATION DISCLOSURE STATEMENT

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Washington, D.C. 20231

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO/SB/08A. Copies were previously provided in related application Serial No. 09/845,245, our Docket No. 263/168. Therefore, additional copies will be provided only if requested by the Examiner.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application  
OC-101050.1

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filed under § 1.53(d); or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

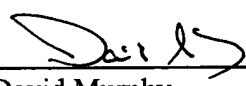
However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

The undersigned does not believe that any fees are due in connection with this submission. However, if the Commissioner deems otherwise, please charge any fees required to Deposit Account No. 12-2475.

Respectfully submitted,  
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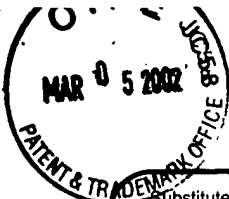
By: \_\_\_\_\_

  
David Murphy  
Reg. No. 31,125



**22249**

DBM/dnd  
LYON & LYON LLP  
633 W. Fifth St, Ste 700  
Los Angeles, CA 90071



+ #4

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		<b>Complete if Known</b>	
		Application Number	09/993,376
		Filing Date	November 14, 2001
		First Named Inventor	Mark M. Wang
		Group Art Unit	1743
		Examiner Name	Not Yet Assigned
Sheet 1	of 8	Attorney Docket Number	265/083

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	EA	US 6294063	09/25/2001	Becker et al	

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		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
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